

REMARKS

Claims 1, 2, 4 through 9, 33 through 37, 39 through 41, and 44 through 51 are pending in this application. Claims 1, 7, 39 through 41, 50 and 51 are amended in several particulars for purposes of clarity in accordance with current Office policy, to assist the examiner and to expedite compact prosecution of this application. Claims 3, 42, 43 and withdrawn claims 10 through 17 have been canceled without prejudice or disclaimer of its subject matter. The Applicant appreciates the Examiner's indication of allowance of claims 3, 7 through 9, 33 through 37, 39 through 41, and 44 through 49.

Claim 1 was amended to incorporate allowed claim 3, therefore, claim 1 should then be allowed and claims 4-6 which are dependent on claim 1 should also be allowed. Dependent and allowed claims 7, and 39-41 were amended to depend on claim 1.

Entry of the foregoing amendments are proper under 37 C.F.R. 1.116(b) because those amendments simply respond to the issues raised in the final rejection, no new issues are raised, no further search is required, and the foregoing amendments are believed to remove the basis of the outstanding rejections and to place all claims in condition for allowance. The foregoing amendments, and explanations, could not have been made earlier because they are merely responsive to issues newly raised in Paper No. 20050711.

Rejoinder of Withdrawn Claims

According to MPEP §821.04 in the *In re Ochiai* rejoinder, when there is even a proper restriction between product and process claims and when the product claims are elected, and the product claims are allowable, the process claims that include all the limitations of the allowable product claims would also be allowable.

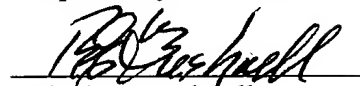
Therefore, claims 50 and 51 must now be rejoined according to MPEP §821.04. Claim 50 and 51 includes the allowable limitations mentioned by the Examiner on pages 5-6 of paper no. 20050711. Therefore, claims 50 and 51 should be allowed because of rejoinder under MPEP §821.04. Claims 50 and 51 were amended to be in independent form including the base claim 10.

In view of the foregoing amendments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. If there are any questions, the examiner is asked to contact the applicant's attorney.

No fee is incurred by this Amendment. Should there be a deficiency in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of

Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. E. Bushnell", is written over a horizontal line.

Robert E. Bushnell

Attorney for the Applicant

Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56539
Date: 12 October 2005
I.D.: REB/SS